

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

CHARLES L. BAUSLEY

PLAINTIFF

v.

CASE NO. 3:15CV00095 BSM

BREET DUNCAN, et al.

DEFENDANTS

ORDER

The proposed findings and recommendations submitted by United States Magistrate Judge Jerome T. Kearney have been received. No objections have been filed. After a review of the proposed findings and recommendations, it is concluded they should be adopted in their entirety, in all respects.

IT IS, THEREFORE, ORDERED that:

1. Plaintiff's complaint is dismissed without prejudice for failure to state a claim.
2. Dismissal of this action constitutes a "strike" within the meaning of the Prison Litigation Reform Act (PLRA), 28 U.S.C. § 1915(g).
3. It is further certified that an *in forma pauperis* appeal would not be taken in good faith, pursuant to 28 U.S.C. § 1915(a)(3).

IT IS SO ORDERED this 23rd day of July 2015.


UNITED STATES DISTRICT JUDGE